

REMARKS

This amendment is filed in response to the Office Action dated January 11, 2005, in which claims 1-3 and 8-12 are rejected, claims 5-7 are objected to and claims 13-15 are allowed. Claims 1, 2 and 5-11 have been amended to more clearly describe the invention as claimed. Claims 3 and 12 are cancelled. Reconsideration and allowance of all pending claims is requested.

Claims 1, 2 and 8-11 stand rejected under 35 U.S.C. 102(b) as anticipated by U.S. patent number 5,107,654 to Leonardis. Claims 5-7 are objected to as being dependent on rejected claim 1. Applicants respectfully submit that the Leonardis reference fails to teach the inventions of claims 1, 2 and 8-11.

Claim 1 is directed to an apparatus for supporting at least first and second reinforcement bars in a concrete structure. Claim 1, as amended, calls for a first cradle for holding only the first reinforcement bar and a second cradle for holding only the second reinforcement bar substantially parallel to the first reinforcement bar. Leonardis on the other hand describes a support structure for holding two reinforcement bars perpendicular to each other. Leonardis does not describe a structure having a first cradle for holding only a first reinforcement bar and a second cradle for holding only a second reinforcement bar in a substantially parallel relationship with the first reinforcement bar as required by claim 1. Therefore, claim 1 patentably defines over the Leonardis reference. Reconsideration and allowance of claim 1 is requested.

Claims 2 and 5-11 are dependent on claim 1 and define additional important aspects of the invention. Applicants submit that these claims patentably define over the Leonardis reference for at least the same reasons as claim 1. Reconsideration and allowance of claims 2 and 5-11 is requested.

Applicant submits that a full and complete response to the Office Action is provided herein, and that all of the pending claims are now in condition for full allowance. In light of the foregoing remarks and claim amendments, Applicant respectfully requests reconsideration and allowance of claims 1, 2 and 8-11.

If the Examiner identifies further issues that may be resolved by telephone, the Examiner is invited to contact the undersigned at (865) 546-4305.

Application No. 10/664,760

In the event this response is not timely filed, Applicant hereby petitions for the appropriate extension of time and requests that the fee for the extension along with any other fees that may be due with respect to this paper be charged to our Deposit Account No. 12-2355.

Respectfully submitted,

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450,

on January 31, 2005



Mark P. Crockett